

RAKOFF, J

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

A&J PRODUCE CORP.

Plaintiff

v.

KOREAN PRODUCE BUYING SERVICE,
INC., t/a K.P.T.

and

YONG H. KIM

Defendants

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8-6-07

Civil No. 07 CV 7008

**ORDER TO SHOW CAUSE
WHY A PRELIMINARY
INJUNCTION SHOULD NOT
ISSUE AND TEMPORARY
RESTRAINING ORDER**

Upon the affidavit of Anthony Spota, the credit manager of plaintiff, and the Attorney Certification Why Notice Should Not Be Required Pursuant To Rule 65(b), and upon the copy of the complaint hereto and pleadings in support, annexed, it is

ORDERED, that the above-named defendants show cause before a motion term

✓ of this Court, at Room 14-B United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New

✓ York, NY 10007-1312, on August 10, 2007 at 9:00 o'clock a.m., or

as soon thereafter as counsel may be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the defendants, their customers, agents, officers, subsidiaries, assigns, and banking institutions, during the pendency of this action from alienating, dissipating, paying over or assigning any assets of Korean Produce Buying Service, Inc., t/a K.P.T. or its subsidiaries or related companies except for payment to plaintiff until further order of this Court or until

defendants pay plaintiff the sum of \$176,342.50 by cashiers check or certified check, at which time this Order is dissolved; and it is further

ORDERED, that, sufficient reason having been shown therefore, pending the hearing of plaintiff's application for a preliminary injunction, pursuant to Rule 65, Fed. R. Civ. P., the defendants, their customers, agents, officers, subsidiaries, assigns, and banking institutions are temporarily restrained and enjoined from alienating, dissipating, paying over or assigning any assets of Korean Produce Buying Service, Inc., t/a K.P.T., or its subsidiaries or related companies except for payment to plaintiff until further order of this Court or until defendant pay plaintiff the sum of \$176,342.50 by cashiers check or certified check, at which time this Order is dissolved; and it is further

ORDERED that bond shall be waived in view of the fact that defendants now hold \$176,342.50 worth of plaintiff's assets and is further

ORDERED that service of a copy of this order, annexed affidavit and supporting documents and the summons and complaint by Federal Express or other nationally recognized delivery service upon the defendants or its counsel on or before 8/8/, 2007 at 2:00 o'clock P.m., shall be deemed good and sufficient service thereof.

DATED: New York, New York

ISSUED: August 6, 2007

1:35 pm.


United States District Judge

